

AGENDA

BOARD OF MAYOR AND ALDERMEN

November 5, 2003

7:30 PM

**Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Baines calls the meeting to order.
2. The Clerk calls the roll.

CONSENT AGENDA

3. Mayor Baines advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Ratify and Confirm Poll Conducted

- A. Authorizing the Mayor to execute a State of NH Fish & Game consent form for the Ringling Brothers Barnum & Bailey Circus on Elm Street on October 23, 2003.
(Aldermen Wihby, Gatsas, Sysyn, Osborne, Pinard, O'Neil, Lopez, DeVries, Garrity, Smith, Thibault and Forest voted in the affirmative. Aldermen Guinta and Shea unavailable.)

Informational – to be Received and Filed

- B. Copies of minutes of the Mayor's Utility Coordinating Committee meeting held October 15, 2003.
- C. Copies of minutes of the Piscataquog River Local Advisory Committee meeting held October 2, 2003.

- D.** Copy of the summer/fall 2003 publication of the NHDES, Waste Management Division.
- E.** Copy of a communication from the NH Department of Safety advising of recent administrative policy changes relative to accountability of expenditures.
- F.** Copy of a communication from the NH Department of Transportation advising of contemplated awards.
- G.** Communication from Comcast submitting a franchise fee in the amount \$239,362.19.

REFERRAL TO COMMITTEES

COMMITTEE ON FINANCE

- H.** Resolution:

“Amending the FY 2004 Community Improvement Program, authorizing and appropriating funds in the amount of Six Thousand Six Hundred Eighty Two (\$6,682.00) for the FY2004 CIP 810704 Archival Conservation Grant Program.”

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

- I.** Recommending that the accounts receivable write-offs for the first quarter of FY2004 be approved.
- J.** Advising that it has accepted the City’s monthly financial statements for the three months ended September 30, 2003 and is forwarding same to the Board for informational purposes.

- K.** Advising that it has accepted the audit status update submitted by Kevin M. Buckley, Internal Audit Manager and is forwarding same to the Board for informational purposes.
- L.** Advising that it has accepted the following Finance Department reports:
- a) department legend;
 - b) open invoice report over 90 days by funds;
 - c) open invoice report (all invoices for interdepartmental billings only);
 - d) open invoice report (all invoices due from School Dept. only); and
 - e) listing of invoices submitted to City Solicitor for legal determination and is submitting same for informational purposes.

COMMITTEE ON HUMAN RESOURCES/INSURANCE

- M.** Advising that it has approved a request to establish a new classification, Laborer – Drop Off Facility at a Grade 10 and for such purpose is submitting ordinance amendment:
- “Amending Sections 33.024, 33.025 and 33.026 (Laborer – Drop Off Facility) of the Code of Ordinances of the City of Manchester.”
- and recommends same be referred to the Committee on Bills on Second Reading for technical review.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- N.** Recommending that regulations governing standing, stopping, parking and operations of vehicles be adopted and put into effect when duly advertised and posted.
- O.** Recommending that regulations governing one way streets during certain school hours for the area of McDonough School be adopted and put into effect when duly advertised, posting to occur through McDonough School staff as required.

P. Advising that it has reviewed a request to eliminate odd/even parking and is recommending the following:

1. That the Board of Mayor and Aldermen immediately adopt an ordinance that provides an exemption to odd/even parking requirements for a portion of the downtown area.
2. That the Public Works Director submit a funding request in the next budget cycle for a city wide snow emergency warning light system.
3. That the use of parking lots for residential parking after 8 PM be better advertised as recommended by the Public Works Director.
4. That the Traffic Committee re-visit the issue of odd/even parking in other areas of the city at a later date, following a pilot period with the downtown area.

For the purpose of meeting the exemption requirements and given the November 15 requirements under law, an ordinance has been submitted with the request that same be adopted under the suspension of the rules.

LADIES AND GENTLEMEN, YOU HAVE READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

4. Nominations to be presented by Mayor Baines, if available.
5. Confirmation of the nomination of Mike Lowry to succeed Peter Favreau as a member of the Highway Commission, term to expire January 15, 2006.
A motion is in order to confirm the nomination of Mike Lowry as presented.

OTHER BUSINESS

6. Report of the Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?
7. Report of the Committee on Lands and Building, if available.
Ladies and Gentlemen, what is your pleasure?

8. Pursuant to report of Committee on Traffic, **a motion is in order to place an ordinance pertaining to exemptions to odd/even overnight winter parking regulations on its final reading at this time without referral to the Committees on Bills on Second Reading or Accounts, Enrollment and Revenue Administration.**

Ordinance: (**A motion is in order to read by title only.**)

“Amending Section 70.71 Overnight Winter Parking of the Code of Ordinances of the City of Manchester by adding a new subsection (F) to exempt certain portions of the downtown area from the odd/even parking ban.”

This ordinance having had its final reading by title only, the question is on passing same to be ordained.

9. Ordinances: (**A motion is in order to read by titles only.**)

“Amending Sections 33.024, 33.025 & 33.026 (Compensation Manager) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.026 (Airport Maintenance Worker I, Airport Maintenance Worker (Seasonal/Temp), Airport Operations and Maintenance Specialist, Airport Maintenance Supervisor (Land side), Airport Maintenance Supervisor (Airside), Assistant Airport Maintenance Superintendent, Airport Maintenance Superintendent and Airport Building Maintenance and Structure Superintendent) of the Code of Ordinances of the City of Manchester.”

“Amending Chapter 70: Motor Vehicles and Traffic, by inserting a new section authorizing regulation of speed in service alleys.”

“Amending Chapter 91 of the Code of Ordinances of the City of Manchester by requiring the owners of Multi-Family dwellings to provide “Toters” for rubbish and garbage collection and storage.”

“Amending Chapter 150 of the Code of Ordinances of the City of Manchester by requiring the owners of Multi-Family dwellings to provide “Toters” for rubbish and garbage collection and storage.”

“Amending Section 92.25 Annual User Fees of the Code of Ordinances of the City of Manchester.”

“Amending the Zoning Ordinance of the City of Manchester by amending the language to allow Multi-family and other residential dwellings in the Redevelopment (RDV) District.”

These Ordinances having had their second readings by title only, the question is on passing same to be Enrolled.

10. Mayor Baines advises that a motion is in order to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.

11. Mayor Baines calls the meeting back to order.

12. A report of the Committee on Accounts, Enrollment and Revenue Administration, if available.

Ladies and Gentlemen, what is your pleasure?

13. Communication from Thomas Seigle, Chief Sanitary Engineer, seeking the Board’s authorization to enter into a Septage Service Agreement with the Town of Atkinson.

If the Board so desires, a motion is in order to approve the agreement and authorize the Mayor to execute same on behalf of the City, subject to the review and approval of the City Solicitor.

14. Resolution: **(A motion is in order to read by title only.)**

“Amending the FY 2004 Community Improvement Program, authorizing and appropriating funds in the amount of Six Thousand Six Hundred Eighty Two (\$6,682.00) for the FY2004 CIP 810704 Archival Conservation Grant Program.”

A motion is in order that the Resolution pass and be enrolled.

15. Ordinances: (A motion is in order to read by titles only.)

“Amending Sections 33.024, 33.025 & 33.026 (Compensation Manager) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.026 (Airport Maintenance Worker I, Airport Maintenance Worker (Seasonal/Temp), Airport Operations and Maintenance Specialist, Airport Maintenance Supervisor (Land side), Airport Maintenance Supervisor (Airside), Assistant Airport Maintenance Superintendent, Airport Maintenance Superintendent and Airport Building Maintenance and Structure Superintendent) of the Code of Ordinances of the City of Manchester.”

“Amending Chapter 70: Motor Vehicles and Traffic, by inserting a new section authorizing regulation of speed in service alleys.”

“Amending Chapter 91 of the Code of Ordinances of the City of Manchester by requiring the owners of Multi-Family dwellings to provide “Toters” for rubbish and garbage collection and storage.”

“Amending Chapter 150 of the Code of Ordinances of the City of Manchester by requiring the owners of Multi-Family dwellings to provide “Toters” for rubbish and garbage collection and storage.”

“Amending Section 92.25 Annual User Fees of the Code of Ordinances of the City of Manchester.”

“Amending the Zoning Ordinance of the City of Manchester by amending the language to allow Multi-family and other residential dwellings in the Redevelopment (RDV) District.”

These Ordinances having had their third and final readings by title only, the question is on passing same to be Ordained.

TABLED ITEMS

A motion is in order to remove the following item from the table for discussion.

16. Request for discontinuance of a portion of Millstone Avenue.
(Tabled 08/04/03 at road hearing pending report from City Solicitor.)
17. Notice for reconsideration given by Alderman Gatsas on motion to accept a majority report of the Committee on Lands and Buildings regarding authorizing city staff to negotiate with Hampshire Plaza, LLC and its representatives for the possible disposition of the Canal Street Garage. (Motion having carried with Aldermen Sysyn, Pinard, O'Neil, Lopez, DeVries, Smith, Thibault and Forest voting yea, and Aldermen Gatsas, Guinta, Osborne, Shea and Garrity voting nay.)
(Tabled 10/21/2003)
18. **NEW BUSINESS**
 - A. Communications
 - B. Aldermen
19. Copy of a communication from Attorney Patrick McHugh to Thomas Arnold requesting reconsideration of the City of Manchester's decision to award sale of the real property located on Old Wellington Road, Manchester, NH (a/k/a Map 645, Lot).
If the Board so desires, a motion to recess the meeting to meet with legal counsel may be in order.
20. If there is no further business, a motion is in order to adjourn.